

RENTON CITY COUNCIL
Regular Meeting

November 1, 1999
Monday, 7:30 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF
COUNCILMEMBERS**

KING PARKER, Council President; DAN CLAWSON; KATHY KEOLKER-WHEELER; BOB EDWARDS; TONI NELSON; RANDY CORMAN; TIMOTHY SCHLITZER.

**CITY STAFF IN
ATTENDANCE**

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; LARRY WARREN, City Attorney; MARILYN PETERSEN, City Clerk; VICTORIA RUNKLE, Finance & Information Services Administrator; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; MIKE WEBBY, Human Resources & Risk Management Administrator; JIM SHEPHERD, Community Services Administrator; SUE CARLSON, Economic Development Administrator; PAUL KUSAKABE, Fiscal Services Director; LINDA HONEYCUTT, Senior Finance Analyst; DEBBIE SCOTT, Finance Analyst; JILL MASUNAGA, Finance Analyst; SAM STAR, Finance & Administrative Analyst; DENNIS CULP, Facilities Director; DEREK TODD, Finance Analyst; CHIEF A. LEE WHEELER, Fire Department; COMMANDER KEVIN MILOSEVICH, Police Department; COMMANDER KATHLEEN MCCLINCY, Police Department.

PRESS

Robert Teodosio, *Renton Reporter*
Claire Booth, *South County Journal*

**APPROVAL OF
COUNCIL MINUTES**

MOVED BY PARKER, SECONDED BY CLAWSON, COUNCIL APPROVE THE MINUTES OF OCTOBER 25, 1999 AS PRESENTED. CARRIED.

PUBLIC HEARING

Finance: 2000 Budget,
Property Tax Levy Rate and
Revenue Sources

The proper notices having been posted and published in accordance with local and State laws, Mayor Tanner opened the public hearing to consider the 2000 property tax levy and rate, and revenue sources for the 2000 Budget.

Victoria Runkle, Finance & Information Services Administrator, explained that the City is proposing to set next year's property tax levy collections at \$15,348,909. Although this is the most the City can collect under the State law which limits property tax collections at 106% of the previous year's collections, Renton property owners will actually see a decrease in their tax rate, from the current \$3.42 per \$1,000 of assessed valuation to \$3.40. This is because Renton's assessed valuation continues to grow, and is expected to rise from approximately \$4.2 billion this year to \$4.5 billion in 2000. Ms. Runkle emphasized that these figures do not include annexations or new construction values.

Council President Parker noted that Council received a highly detailed presentation of this issue during its Committee of the Whole meeting earlier this evening.

Audience comment was invited. There being none, it was MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED. (See page 390 for legislation.)

ADMINISTRATIVE

Chief Administrative Officer Jay Covington reviewed a written administrative

REPORT

report summarizing the City's recent progress towards goals and work

programs adopted as part of its business plan for 1999 and beyond. Items noted included:

- * The City intends to have the Main Ave. S. construction complete by the end of this month, weather permitting. Exceptions will be the final grinding, pavement overlay and lane marking which will be done next year as the outdoor temperature allows.
- * New playground equipment and surfacing have been installed at both Teasdale and Maplewood Parks.
- * Over 1000 children and parents attended the Renton Recreation Division's "Boo Carnival" at the Renton Community Center last Saturday in celebration of Halloween.

AUDIENCE COMMENT

Citizen Comment: Burroughs – Coal Creek Utility District, Proposed Partial Assumption by Bellevue

Blair Burroughs, 4750 Wells Fargo Center, 999 Third Ave., Seattle, representing the Coal Creek Utility District, expressed appreciation for Renton's opposition to the City of Bellevue's proposed partial assumption of the utility district. (See page 389 for Council action on this matter.)

Citizen Comment: Steiner – Gambling Tax

Fred Steiner, 111 S. 3rd St., Renton, 98055, the owner of Diamond Lil's and Freddie's Club, said that since these two establishments began operating as enhanced card rooms under State law, the gambling taxes he pays to the City of Renton grew from \$100,000 to \$1.5 million per year. Explaining that running an enhanced card room requires more upfront costs for labor, rent and promotions, he opposed the Administration's proposal to raise the tax on card room revenues from 10% to 20%, claiming such an increase would amount to half of his net proceeds. Adding that a 20% tax could easily put him out of business in an economic downturn, Mr. Steiner said after reviewing his receipts for the last three years, he came to the conclusion that if he had been taxed at 20% during that entire period, he would not be in business today.

Responding to Council President Parker, Mr. Steiner said although he would not agree to any increase in his tax, a 12% rather than a 20% tax would be, at least, palatable and he probably could absorb it. Mr. Steiner added that a reduction in the pulltab tax from 5% of gross to 10% of net revenues would help soften any increase in the card room tax.

Councilmember Keolker-Wheeler questioned if Mr. Steiner and other card room owners agreed to the 20% tax rate when the State was in the process of approving enhanced card rooms. Mr. Steiner explained that the 20% rate has been in place since 1973. He said no card room owner would accede to being taxed at that rate because no establishment could survive it in any kind of economic downturn.

Citizen Comment: Gevers – Prohibition Against Advertising Parked Vehicles For Sale

Bob Gevers, 900 Kirkland Ave. NE, Renton, 98056, reported that his son, who was visiting him from Tacoma last weekend, received a ticket for parking his vehicle in front of Mr. Gevers' house with a "For Sale" sign in the window. Expressing surprise that such a law exists, Mr. Gevers said his son has decided to pay the fine because it would be completely inconvenient for him to contest the ticket, which would require that he take time off work to travel to Renton's Municipal Court and explain the circumstances under which it was issued.

Mr. Gevers asked if his son had any alternative other than paying the ticket or

appearing in Municipal Court. Adding that this law was adopted by Renton from the Washington Administrative Code (WAC 308.330.436), he suggested that Renton not simply adopt it "as is" but revise it to provide for exceptions in cases such as visiting friends or family members.

Mayor Tanner offered to have the City Attorney contact Mr. Gevers about any possible alternatives.

Saying that Council should consider this law and how it is applied, it was **MOVED BY PARKER, SECONDED BY NELSON, COUNCIL REFER THIS MATTER TO THE PUBLIC SAFETY COMMITTEE. CARRIED.**

Councilman Edwards inquired if Mr. Gevers can appear in Renton Municipal Court on his son's behalf. City Attorney Lawrence J. Warren replied that generally, only a lawyer who has been admitted to the Washington State Bar can represent another person in court.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

Vacation: Alley @ Lind & Seneca and SW 12th & 13th, Bryant/Clements Const

City Clerk submitted a petition for vacation of an alley between Lind and Seneca Avenues SW and SW 12th and 13th Streets; petitioner Ron Knight, PO Box 6, Renton, 98057, representing William G. Bryant and Clements General Construction, Inc. Refer to Board of Public Works; set public hearing on 11/22/99. (See page 389 for resolution setting the public hearing.)

CRT: 99-010, Brown v Renton

Court Case filed by David H. Gehrke on behalf of Allen Eugene and Editha Brown, alleging damages in an unspecified amount due to an incident occurring on 9/26/96 when Allen Brown was injured while using a leg press machine at the Renton Community Center. Refer to City Attorney and Insurance Services.

Plat: Flynn Short Plat ROW Dedication, NE 6th/Blaine & Camas (SHP-96-106)

Development Services Division recommended acceptance of right-of-way in the vicinity of NE 6th Circle and Blaine and Camas Avenues NE to fulfill a requirement for the Flynn Short Plat (SHP-96-106). Council concur.

Planning: La Pianta Development Agreement

Economic Development, Neighborhoods and Strategic Planning Department recommended approval of a development agreement with the La Pianta Limited Partnership as part of the application on this property for a Comprehensive Plan amendment. Council concur.

Planning: Housing Design Guidelines, Planning Commission Recommendation

Economic Development, Neighborhoods and Strategic Planning Department submitted Planning Commission recommendations on the proposed Housing Design Guidelines. Refer to Planning & Development Committee.

EDNSP: Endangered Species Act Work, Consultant Roster

Economic Development, Neighborhoods and Strategic Planning Department recommended approval of the annual consultant roster for responding to recent and proposed listings under the Endangered Species Act. Council concur.

Finance: 2000 Budget, Public Hearing

Finance & Information Services Department recommended a public hearing be set on November 15, 1999, on the 2000 Budget. Council concur.

Municipal Court: State Reimbursement for Computer & Printer for Muni Ct Judge

Municipal Court recommended approval of an agreement with the Office of the Administrator for the Courts to accept \$2,462 in reimbursement for a personal computer and printer for Renton's Municipal Court Judge. Council concur. (See page 389 for resolution.)

Streets: Burnett Ave S Realignment (S 3rd to 4th), Parametrix Design Services

Transportation Division requested approval of a contract in the amount of \$64,048.32 with Parametrix, Inc. for civil design services for the realignment and reconstruction for Burnett Ave. S. from S. 3rd to 4th Streets. Council concur.

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

CORRESPONDENCE

Citizen Comment: Fletcher –
Issaquah School District
Impact Fees

Correspondence was read from Connie Fletcher, School Board President for Issaquah School District No. 411, 565 NW Holly St., Issaquah, 98027, asking that Renton impose any administrative fees charged in addition to the school impact fee on the developer applicant. Ms. Fletcher also requested that Renton reconsider the amount of the impact fee to be charged, since Renton's \$2,792 fee is significantly lower than the \$6,131 fee imposed by King County and the other four cities within the district's boundaries. (See Council action on page 388.)

Citizen Comment: Iszley –
Gambling Tax

Correspondence was read from Tim Iszley, President of Silver Dollar Casino, 319 S. 3rd St., Renton, 98055, stating his intention to locate a 20,000 sq.ft. enhanced card room in Renton, although he would reevaluate this plan would if the City increases the card room tax as proposed. **MOVED BY EDWARDS, SECONDED BY PARKER, COUNCIL REFER THIS LETTER TO THE COMMITTEE OF THE WHOLE. CARRIED.**

Executive: 2000 Budget,
Revenues and Expenditures

A memorandum from Mayor Jesse Tanner to the Renton City Council and citizens of Renton was read, responding to discussion at last week's Committee of the Whole meeting. The memo stated that Councilmember Keolker-Wheeler had intimated that the Administration was seeking to be bailed out of financial difficulty, and said she had compared this situation to 1993 when the previous Administration could neither fund capital improvement projects nor even make payroll expenditures.

Mayor Tanner emphasized that every project approved during his tenure of 1996 through 1999 has been fully funded and has come in at or under budget. Saying that Councilmember Keolker-Wheeler intimated that the Mayor's proposed 2000 budget was somehow a breach of faith with the Council, he said every project proposed in the CIP will implement the goals and strategies established by Council in partnership with the Administration. He added that every project proposed for next year is fully funded, with the exception of a skateboard park which is not included in his proposed budget. The mayor explained that if Council chooses not to increase the tax on card room revenues as he has proposed, the only result will be that some future projects will be delayed until the City accrues sufficient funds with which to accomplish them.

Referring to a statement made by Councilmember Keolker-Wheeler regarding the Pavilion building, Mayor Tanner said this project is funded in the 2000 budget. He added that the reason the Pavilion was not well underway at this time was due to Council blockage of the project.

Mayor Tanner concluded that his record of accomplishments is clear and his administration of the affairs of the City has been exemplary. He emphasized that not once has he called upon Council to bail him out of financial difficulty, nor did he have any intention of doing so in the future.

Councilmember Keolker-Wheeler expressed shock that the mayor would put such a memo forward. She said Council set aside funds for the piazza project, not the Pavilion building, explaining this was done because the citizens promoting the piazza felt that the Administration was not paying attention to what they wanted for this project. Disputing that Council has blocked the pavilion project, she said

that it simply wants a reasonable amount of information on this facility and its potential uses so it can determine how it will best be used in both the long- and the short-term.

At Mayor Tanner's request, Finance & Information Services Administrator Victoria Runkle confirmed that the City placed \$1 million in reserve last year for the Pavilion building, at Council's direction.

Mayor Tanner added that he has had several conversations with Council President Parker on the Pavilion building in an attempt to have Council fund improvements to this facility. He added that studies have already been performed, one of which concluded that the building should be used for an art school and art studio rentals. Another study suggested that it be used for a community conference center and exhibition hall.

On another subject, Mayor Tanner stated that his proposed 2000 budget is not at all dependent on whether the card room tax is raised from 10% to 20%, but is fully funded even without this increase. Additionally, fund balances exist in both the General Fund and in Fund 316 which Council can appropriate for a skateboard park, if it so chooses.

Responding to Council President Parker, Ms. Runkle referred to table 2-16 in the budget, which shows a dedication of \$1.5 million in property tax revenues which is proposed to be spent on improvements to the Pavilion building (in addition to the \$800,000 already in reserve for this project). Ms. Runkle added that the operating side of the budget can absolutely be balanced without an increase in the card room tax.

Council President Parker invited Councilmember Keolker-Wheeler to submit a letter next week in response to the mayor's comments, if she wishes to do so.

In response to Councilman Edwards, Ms. Runkle said the proposed budget does not assume a loss in revenues should I-695 be approved by Washington voters. It also does not assume increased public health costs, which would be one result should the initiative pass.

OLD BUSINESS

Committee of the Whole

Finance: Bingo Tax Rate
Change for Non-Profits

Council President Parker presented a Committee of the Whole report recommending adoption of the ordinance as written by the City Attorney changing the bingo tax rate for non-profits from 10% of gross receipts less prizes to 5% of gross receipts less prizes, as required by State law. The Committee further recommended that the ordinance regarding this matter be presented for first and second reading and adoption. **MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See page 390 for ordinance.)

Budget: 2000 Property Tax
Levy

Council President Parker presented a Committee of the Whole report recommending that the City adopt all three ordinances establishing the property tax levy to be six percent (6%) above the 1999 level or at a rate not to exceed \$3.42 per \$1,000 of assessed valuation. The Committee further recommended that the ordinances regarding this matter be presented for first and second reading and adoption. **MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See page 390 for ordinances.)

Finance Committee

Finance: Issaquah School

Finance Committee Chair Edwards presented a report regarding Issaquah School District impact fees. The Committee recommended that the administrative fee be

- District Impact Fees 5% rather than 10% of all fees collected and that the fee itself be raised to include the administrative fees within the impact fee itself. The Committee also recommended that section D.5. be amended to read \$2,937.00 and section I.4. be amended to read 5% rather than 10%. With these changes, the Committee recommended that the ordinance be adopted. MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL CONCUR IN THE REPORT AS READ. CARRIED. (See page 389 for ordinance.)
- Development Services:
Building Inspector Step
Upgrade Finance Committee Chair Edwards presented a report recommending that the Planning/Building/Public Works Department be authorized to upgrade the Building Inspector/Combination position to Step D of the salary range. MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL CONCUR IN THE REPORT AS READ. CARRIED.
- Parks: Lease with iCopyright
for 200 Mill Ave S Building
(Three Floors) Finance Committee Chair Edwards presented a report regarding a lease with iCopyright, Inc. for the top three floors of the former City Hall building (200 Mill Ave. S.). The Finance Committee recommended concurrence in the staff recommendation to authorize the Mayor and City Clerk to sign the proposed lease with iCopyright, Inc., to expire August 31, 2004. MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL CONCUR IN THE REPORT AS READ.*

Responding to Councilmember Keolker-Wheeler, Facilities Director Dennis Culp said the rate per square foot will be \$14.75, which is on the higher end of the current market range. He added that it will be a full-service lease.

*MOTION CARRIED.

ORDINANCES AND RESOLUTIONS

The following resolutions were presented for reading and adoption:

Resolution #3415

Vacation: Alley @ Lind &
Seneca and SW 12th & 13th,
Bryant/Clements Const

A resolution was read setting a hearing date on November 22, 1999, to vacate the alley located between Lind Avenue SW, Seneca Avenue SW, SW 12th and SW 13th Streets (Bryant, Clements, Hess, Frankeschina and Gaidjiergis, VAC-99-001). MOVED BY EDWARDS, SECONDED BY SCHLITZER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3416

Municipal Court: State
Reimbursement for Computer
& Printer for Muni Ct Judge

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal cooperative agreement with the Office of the Administrator for the Courts regarding a limited reimbursement for expenses incurred in purchasing a personal computer and printer for use by the City of Renton Municipal Court Judge. MOVED BY PARKER, SECONDED BY SCHLITZER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3417

Public Works: 1998 Long-
Range Wastewater
Management Plan

A resolution was read adopting the 1998 Long-Range Wastewater Management Plan (Sanitary Sewer Comprehensive Plan). MOVED BY CLAWSON, SECONDED BY SCHLITZER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3418

Council: Bellevue's Proposed
Partial Assumption of Coal
Creek Utility District

A resolution was read expressing the City Council's opposition to the City of Bellevue's proposed partial assumption of the Coal Creek Utility District. MOVED BY CLAWSON, SECONDED BY SCHLITZER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3419

Finance: Issaquah School

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal cooperative agreement with the Issaquah School District for handling

District Impact Fees

of school mitigation fees. MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinances were presented for first reading and advanced for second and final reading:

Finance: Issaquah School
District Impact Fees

An ordinance was read adding a new section entitled "School Impact Mitigation Fees" to Title IV (Development Regulations) of City Code authorizing the collection of school impact fees for Issaquah School District No. 411; providing findings and definitions; providing for impact fee program elements and fee calculations; providing for fee assessments; providing for exemptions, credits, appeals, and independent calculations; providing for the impact fee account, uses of funds, and refunds; authorizing an interlocal agreement with the Issaquah School District No. 411; providing for the submission of the District's capital facilities plan; providing for an annual review of the fee schedule; and providing for certain other matters in connection therewith. MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

Ordinance #4808Finance: Issaquah School
District Impact Fees

Following second and final reading of the above-referenced ordinance, it was MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Finance: Bingo Tax Rate for
Non-Profits

An ordinance was read amending Section 5-8-5.A of Chapter 8, Gambling tax, of Title V (Finance and Business Regulations) of City Code by changing the tax rate for bingo games and raffles to five percent. MOVED BY PARKER, SECONDED BY NELSON, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

Ordinance #4809Finance: Bingo Tax Rates for
Non-Profits

Following second and final reading of the above-referenced ordinance, it was MOVED BY PARKER, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Budget: 2000 Property Tax
Collections

An ordinance was read authorizing an increase not to exceed six percent (6%) in the regular property tax collections for the year 2000. MOVED BY EDWARDS, SECONDED BY SCHLITZER, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

Ordinance #4810Budget: 2000 Property Tax
Collections

Following second and final reading of the above-referenced ordinance, it was MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Budget: 2000 Property Tax
Levy

An ordinance was read establishing the property tax levy for the year 2000 for both general purposes and for voter-approved bond issues. MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

Ordinance #4811Budget: 2000 Property Tax
Levy

Following second and final reading of the above-referenced ordinance, it was MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Budget: 2000 Property Tax
Levy Limit Factor

An ordinance was read authorizing a one hundred six percent (106%) property tax levy limit factor for 2000 to protect the City's future property tax levy capacity. MOVED BY EDWARDS, SECONDED BY KEOLKER-WHEELER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

Ordinance #4812

Following second and final reading of the above-referenced ordinance, it was

Budget: 2000 Property Tax
Levy Limit Factor

MOVED BY EDWARDS, SECONDED BY PARKER, COUNCIL ADOPT
THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

EXECUTIVE SESSION

MOVED BY PARKER, SECONDED BY NELSON, COUNCIL RECESS
INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL ISSUES.
CARRIED. Time: 8:50 p.m.

The meeting was reconvened at 9:20 p.m.; roll was called; all Councilmembers
present.

ADJOURNMENT

MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL ADJOURN.
CARRIED. Time: 9:21 p.m.

MARILYN J. PETERSEN, CMC, City Clerk

Recorder: Brenda Fritsvold
November 1, 1999